HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE G.V. SEETHAPATHY

Writ Appeal No.723 of 2006

Between:

A. Venkateshwar Rao … Appellant

And

E.C. Employees Co-op.House Construction Society Limited, Hyderabad, rep. by its Chairman, K.V.Satyanarayana & others. … Respondents

:: JUDGMENT ::

Counsel for the Appellant : Sri P. Venugopal

29th June, 2006

Per G.S.Singhvi, C.J.

This appeal is directed against order dated 24-3-2006 passed by the learned Single Judge in WPMP.Nos.32800 and 32801 of 2005 in Writ Petition No.25505 of 2005.

We have heard Sri P.Venugopal, learned counsel for the appellant and perused the record.

In our opinion, instead of filing appeal against the order vide which the learned Single Judge confirmed the ad interim order, the appellant should have filed an application for modification/vacation of the interim order. Without adopting that

course, the appellant ought not to have rushed to the Division Bench by filing appeal.

With the above observations, the writ appeal is dismissed.

G.S.SINGHVI, C.J.

29th June, 2006

G.V.SEETHAPATHY, J.

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